

UNITED STATES DISTRICT COURT

for the
Middle District of North Carolina

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

Priority Mail Express parcel bearing mailing label with
tracking number EJ 313 361 757 US located at 144 East
King Street, Hillsborough, North Carolina 27278

Case No. 1:20MJ 100 -1

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Express parcel bearing mailing label with tracking number EJ 313 361 757 US located at 144 East King Street, Hillsborough, North Carolina 27278

located in the Middle District of North Carolina, there is now concealed (identify the person or describe the property to be seized):

Controlled substances and/or materials and documents reflecting the distribution of controlled substances through the U. S. Mail.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 U.S.C. § 841	Distribution and Possession with Intent to Distribute a Controlled Substance
21 U.S.C. § 843(b)	Use of a Communication Facility to Facilitate Distribution of a Controlled Substance

The application is based on these facts:

See attached affidavit incorporated by reference herein

- ☒ Continued on the attached sheet.
☐ Delayed notice of days (give exact ending date if more than 30 days:) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Angela D. Pollard, US Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: March 25, 2020 10:40 AM

City and state: Durham, North Carolina



Judge's signature

Joe L. Webster, U. S. Magistrate Judge

Printed name and title

AFFIDAVIT

The undersigned, being duly sworn, deposes and states:

I. Affiant's Background and Training

1. I, Angela D. Pollard, am a United States Postal Inspector and have been so employed since 1999. I completed a fourteen week basic training course at the United States Postal Inspection Service Training Academy in Potomac, Maryland. I have received specialized training in Interview and Interrogations, Mail Theft Investigations, Prohibited Mailings Narcotics, Property and Evidence Handling Procedures, Workplace Violence Prevention, Field Legal Training, and Confidential Informant Training. Prior to starting the Postal Inspection Service Training Academy, I was a Law Enforcement Officer in the City of Fayetteville, NC from 1989-1999. While employed for the City of Fayetteville, I received specialized training in Homicide Investigations, Narcotics Investigations, Sexual Assault Investigations, Field Training Officer training, in addition to numerous other trainings. I am currently assigned to the Prohibited Mail Narcotics Team in Greensboro, North Carolina, Charlotte Division, which is responsible for investigations of violations involving the United States Mail, including use of the U.S. Mails to transmit controlled substances, in violation of Title 21, United States Code, Sections 841 and 843(b).

II. Information Regarding the Suspect Parcel

2. On March 23, 2020, a Priority Mail Express parcel bearing tracking number EJ 313 361 757 US (hereafter, “the Suspect Parcel”) entered into the mail stream in Fresno, California 93704. The Suspect Parcel was addressed to “Jessica Rodriquez, 4802 Dairyland RD, Hillsborough NC, 27278”.
3. On March 24, 2020, Postal Inspectors conducting an interdiction deemed the Suspect Parcel as suspicious in nature. The Suspect Parcel was from a source state for narcotics (California), had a handwritten label, and was heavily taped.
4. The Suspect Parcel is described as follows:
 - A. Addressed to: “Jessica Rodriquez, 4802 Dairyland RD, Hillsborough NC 27278”.
 - B. From: “Alex Rodriquez, 1028 S ST (Apt 33), Fresno Ca, 93721”.
 - C. Size: approximately 16” x 16” x 16”.
 - D. Weight: approximately 10 pounds 8 ounces.
 - E. Postage affixed: \$169.20.
 - F. Physical description: A brown box with a Priority Mail Express tracking number EJ 313 361 757 US.
5. On March 24, 2020, investigators attempted to verify the information provided on the Priority Mail label for the Suspect Parcel by using law

enforcement databases. The Inspections Service was able to determine that the name of the recipient (Jessica Rodriguez) of the Suspect Parcel is not associated with the address on the label for 4802 Dairyland Road, Hillsborough, North Carolina 27278. The sender's address (1028 South Street Apartment 33, Fresno, California 93721) for the Suspect Parcel is a valid address; however, the name Alex Rodriguez is not associated with the address.

6. I am aware, through my training and experience, that people who utilize the U.S. Mail to distribute controlled substances commonly use fictitious names and addresses in an attempt to avoid detection by law enforcement agencies. I am also aware that California is a source state for the distribution of narcotics, and North Carolina is a known destination for controlled substances through the U.S. Mail.
7. I am aware, also, that people often use the U.S. Mail, specifically Priority Mail Express and Priority Mail, for the delivery of controlled substances for various reasons, some of which are listed below:
 - A. Items sent via Priority Mail Express, and Priority Mail are considered to be First-Class Mail. Therefore, these items cannot be examined without a federal search warrant.
 - B. Priority Mail Express, and Priority Mail are generally expected to be delivered in one to three days. This assures the sender of

expedited delivery.

- C. Various dispatch times (times which a mailed item is transported to the next destination) are available to customers upon request and provide the sender an opportunity to have some control as to the arrival of the mailed item.
- D. Individuals desiring to either send or receive controlled substances and payments for these substances through the U.S. Mail can do so without having to provide identification. This reduces the possibility of revealing their true identities.

Information Regarding the Use of a Drug Detecting Canine

- 8. On March 24, 2020, Drug K-9 Detective Adam J. Smith of the Greensboro Police Department, assigned to the Vice Narcotics Division, was contacted regarding the Suspect Parcel. Detective Smith and drug detecting K-9 Hacksaw (hereafter, "Hacksaw") responded to a United States Postal Service facility in the Middle District of North Carolina.
- 9. The Suspect Parcel was placed in a lineup with four other parcels at a United States Postal Service facility, none of which contained a controlled substance. Hacksaw walked among the parcels. Hacksaw alerted only to the Suspect Parcel by sitting and staring at the Suspect Parcel, which was Hacksaw's signal to indicate the scent of a controlled substance. The examination took place at 1:35 p.m. on March 24, 2020.

10. Detective Adam Smith has been a sworn law enforcement officer for the past ten years with the Greensboro Police Department, having completed Basic Law Enforcement Training (BLET) in February 2009. Detective Smith is currently assigned as an Investigative Interdiction Detective on the Vice Squad in the Vice & Narcotics Division of the Greensboro Police Department and has worked narcotics investigations, specifically, since April 2011. In October 2018, Detective Smith was selected to be a Narcotics Detection Dog Handler and was assigned K-9 Hacksaw, a seven-year-old Black Labrador Retriever.
11. In addition to BLET, Detective Smith has attended Basic Narcotics Investigators course, Airport Narcotics Investigations, Introduction to Conspiracy Investigations, Highway and Rural Drug Investigations, Advanced Criminal Interdiction, Advanced Roadside Interdiction, Basic K-9/Detector Dog Training, High Risk Apprehensions, Bus Interdiction, Parcel Interdiction, Train Interdiction, and has attended numerous other seminars. Detective Smith has been certified through the U.S. Drug Enforcement Administration's Operation JETWAY Training program to conduct all manner of Interdiction Investigations and has completed well over 300 hours of training with the majority of the training focusing on illegal narcotics throughout his career.
12. In addition to his current assignment, Detective Smith has served the

department as a Patrol Officer, Police Training Officer, and as a street-level drug officer. Detective Smith is a member of the International Narcotics Interdiction Association (INIA), and the International Police Working Dog Association.

13. Detective Smith has conducted and assisted in narcotics investigations leading to the arrest and conviction of numerous narcotics traffickers in the State of North Carolina, 18th Prosecutorial District (Guilford County), and the United States District Court for the Middle District of North Carolina.
14. Detective Smith has conducted and assisted in numerous narcotics investigations leading to the arrest and conviction of narcotics traffickers in the State of North Carolina, 18th Prosecutorial District and the United States Federal Court of the Middle District of North Carolina.
15. In 2012, Hacksaw was purchased from Green Collar Kennels, in Greensboro, North Carolina, by the Greensboro Police Department. After undergoing several tests as to his suitability as a police work dog, Hacksaw was accepted by the Canine Division and began training in 2012. Hacksaw worked with Officer Steven B. Wood of the Greensboro Police Department Highway Interdiction Team from 2012-2014. Officer Wood has since retired and the K-9 records cannot be located. Hacksaw remained out of service until November 2018, when Detective Smith

began training with Hacksaw.

16. Hacksaw and Detective Smith have together completed 200 hours of basic canine detection training with Corporal Dwayne Diaz, a canine handler and trainer who has multiple years of experience in the Canine Division of the Greensboro Police Department.
17. Hacksaw has demonstrated that he can reliably use his olfactory senses to locate the odor of controlled substances, which include heroin, cocaine, crack cocaine, marihuana, hashish, methamphetamine, and ecstasy. After successful completion of this training, Hacksaw entered into service with the Greensboro Police Department, Vice & Narcotics Division as a narcotics detection K-9 in December 2018.
18. In training with the Greensboro Police Department, Hacksaw was “imprinted” to detect the odor of cocaine, crack cocaine, marihuana, hash, methamphetamine, heroin, and ecstasy. At the beginning of training, the officers placed all seven substances in a hidden box, and Hacksaw was rewarded with a toy when he correctly alerted. Then, the officers removed one substance at a time, and repeated the testing, until Hacksaw could detect the presence of any of the substances individually.
19. On December 7, 2018, Detective Smith took Hacksaw to Fayetteville, North Carolina, to undergo testing by the International Police Working Dog Association. Joseph Salisbury, of the Cumberland County Sheriff's


Office, administered the tests. Hacksaw underwent three tests. The first was an open air field test where narcotic substances were hidden in four locations in a field or a parking lot. Hacksaw successfully found the four hidden locations of controlled substances. The second test was of an interior room. Hacksaw had to search several locations of a warehouse, and alert to the presence of controlled substances. Hacksaw successfully alerted to the four areas that had controlled substances. The third test involved vehicles. Hacksaw had to search nine vehicles. One of the vehicles had no drugs and was blank. Hacksaw successfully alerted to the eight vehicles that had controlled substances, and successfully did not alert on the one vehicle that was blank. Based on his one hundred percent successful rate of testing, Hacksaw received certification from the International Police Working Dog Association. This certification is valid for 15 months from the date of issuance.

20. Detective Smith has successfully demonstrated the ability to properly deploy Hacksaw and locate hidden narcotics. Hacksaw has successfully detected narcotics that have been concealed in locations including the following: sealed packages, residential homes and outbuildings, automobiles, tractor-trailers, luggage, electrical components and appliances, in the ground, and elsewhere.
21. On December 7, 2018, the K-9 detection team of Hacksaw and Detective


Smith was certified as a K-9 detection team. On May 14, 2019, the K-9 Detection team of Hacksaw and Detective Smith was re-certified in Fayetteville, North Carolina. From December 7, 2018, until November 15, 2019, Hacksaw and Detective Smith have located and seized no less than 184 pounds of marihuana, 4.4 pounds of cocaine, 6 pounds of heroin, 4.4 pounds of methamphetamine, an \$91,984 in United States Currency (as of usage report dated November 15, 2019).

Conclusion Regarding Probable Cause

22. Based on the above facts, there is probable cause to believe that the Suspect Parcel contains at least one controlled substance that is being shipped from a source state (California) to North Carolina, in violation of 21 U.S.C. §§ 841 and 843(b). As such, I respectfully request that a Search Warrant be issued for the Suspect Parcel.


Angela D. Pollard
U.S. Postal Inspector

Sworn to and subscribed before me this 25th day of March 2020. *10:40 A.M.*


The Honorable Joe L. Webster
United States Magistrate Judge